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September 19, 1997

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Via Hand Delivery

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

RECEIVED

SEP 19 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: **Ex Parte Presentation**
CC Docket No. 92-237

Dear Mr. Caton:

Lockheed Martin IMS ("Lockheed"), through its counsel, submits this supplemental response to the ex parte presentation of Mitretek Systems ("Mitretek") dated September 4, 1997.¹ This letter, which supplements the information presented in Lockheed's ex parte letter dated September 11, 1997 in the above-captioned docket, is filed pursuant to the request of the North American Numbering Council ("NANC") Steering Committee for additional information concerning Lockheed Martin Telecommunications' Astrolink project.

Lockheed Martin Telecommunications is part of the Lockheed Martin Corporation's Space and Strategic Missiles Sector. Like all of the five business sectors into which Lockheed Martin Corporation's operations are divided, Lockheed Martin Space and Strategic Missiles Sector has its own President and Chief Operating Officer.²

¹ Letter from H. Gilbert Miller to William F. Caton dated September 4, 1997 ("Mitretek Ex Parte").

² Lockheed Martin IMS is part of the Lockheed Martin Corporation's Information and Services Sector, which also has its own President and Chief Operating Officer.

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Astrolink expects to provide space segment capacity through an entity called Astrolink International Limited, which will work with at least one international partner to market broadband service to local and regional service providers.³ Those local and regional service providers, in turn, will market various services to their end users. Those services are expected to include video conferencing, multimedia communications, remote manufacturing control, high-speed data transfer and virtual private networks. The initial satellite launch is expected to occur in late 2000 with full deployment of a five-satellite system expected by the end of 2001.

Because Astrolink will not be a user of North American Numbering Plan numbers, there is no possibility that Lockheed's relationship with Astrolink will create a conflict of interest in Lockheed's management of numbering resources. Also, because Astrolink will not provide any of its space segment capacity directly to end users and is authorized by this Commission to operate on a non-common carrier basis,⁴ Astrolink will not provide a telecommunications service as defined in the Telecommunications Act of 1996 -- *i.e.*, a service provided for a fee "directly to the public, or to such classes of users as to be available directly to the public . . ." ⁵ Accordingly, Lockheed's

³ Although talks are underway with potential partners, no agreements have been reached, and there are no existing plans to serve the North American market. Instead, Astrolink services will be targeted toward world regions with underdeveloped telecommunications infrastructures.

⁴ Lockheed Martin Corporation Application for Authority to Construct, Launch, and Operate a Ka-Band Satellite System in the Fixed-Satellite Service, File Nos. 182 through 186-SAT-P/LA-95, DA No. 97-973 (May 9, 1997). *See Mitretek Ex Parte*, Attachment 1 n. 12.

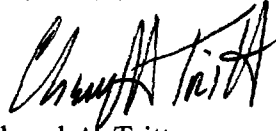
⁵ 347 U.S.C. §153 (46); *see* AT&T Submarine Systems, Inc. Application for a License to Land and Operate a Digital Submarine Cable System Between St. Thomas and St. Croix in the U.S. Virgin Islands, 11 FCC Rcd 14885 (1996). As Lockheed noted in its *ex parte* letter of September 11, 1997, the Commission's use of a different interpretation of "telecommunications service provider" for the purpose of defining the class of contributors to the universal service system need not be extended to the rules for ensuring competitive neutrality of the NANPA. Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, FCC No. 97-157 (May 8, 1997) ¶ 785 ("Universal Service Order"). As the Commission stated in the *Universal Service Order*, that interpretation of the statutory language is not authoritative for all purposes but is to be used "solely for the purpose of determining universal service contributions." *Id.* at ¶ 777 n. 1986.

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relationship with Astrolink does not violate the Commission's competitive neutrality requirement or the NANC's proposed competitive neutrality criteria.

Very truly yours,

A handwritten signature in black ink, appearing to read "Cheryl A. Tritt", written in a cursive style.

Cheryl A. Tritt
Counsel for Lockheed Martin IMS

cc: Chairman Reed E. Hundt
Commissioner James H. Quello
Commissioner Susan Ness
Commissioner Rachelle B. Chong
Kathleen Levitz
Geraldine Matise
Marian Gordon
Erin Duffy
Alan Hasselwander